



August 19, 2002

**FILED ELECTRONICALLY**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: EX PARTE**

***In the Matter of Qwest Communications International, Inc.  
Consolidated Application for Authority to Provide In-Region,  
InterLATA Services in Colorado, Idaho, Iowa, Nebraska, and North  
Dakota, WC Docket No. 02-148***

***In the Matter of Qwest Communications International, Inc.  
Consolidated Application for Authority to Provide In-Region,  
InterLATA Services in Montana, Utah, Washington, and Wyoming,  
WC Docket No. 02-189***

Dear Ms. Dortch:

WorldCom has explained in the above-referenced dockets that one of the reasons Qwest should not be granted section 271 authorization is its refusal to provide WorldCom with customized routing in the form requested by WorldCom.<sup>1</sup> WorldCom has explained that this violates the section 271 checklist and Federal Communications Commission (Commission) precedent.<sup>2</sup>

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<sup>1</sup> See WorldCom Comments, *In the Matter of Qwest International, Inc. Consolidated Application for Authority to Provide In-Region InterLATA Services in Colorado, Idaho, Iowa, Nebraska, and North Dakota*, WC Docket No. 02-148, filed July 3, 2002, at 34-37; WorldCom Reply Comments, *In the Matter of Qwest International, Inc. Consolidated Application for Authority to Provide In-Region InterLATA Services in Montana, Utah, Washington, and Wyoming*, WC Docket No. 02-148, filed August 1, 2002, at 36-40.

<sup>2</sup> Id.

WorldCom filed a pleading on August 12, 2002, with the Washington Utilities and Transportation Commission (WA UTC) that further describes how Qwest's refusal to provide WorldCom with customized routing is inconsistent with the Act, Commission precedent, and sound public policy. *See* Attachment at pp. 20-30. WorldCom in the pleading also provides the following specific responses to claims made by Qwest in proceedings before the WA UTC and this Commission with respect to WorldCom's customized routing request:

- (1) It is technically feasible for Qwest to provide customized routing over WorldCom's Feature Group D trunks, as Qwest itself has admitted (Attachment, p. 22, 26-27)
- (2) Qwest has been aware of WorldCom's request for customized routing since the Spring of 2001 when Qwest and WorldCom signed a UNE-P amendment to their interconnection agreement, which memorialized WorldCom's request for customized routing (Attachment, p. 22)
- (3) WorldCom requires customized routing in the form requested *regardless* of the outcome of this Commission's 411 presubscription proceeding; in other words, Qwest is incorrect in saying that what WorldCom truly wants in asking for customized routing is 411 presubscription (Attachment, p. 23)
- (4) Qwest mischaracterizes the current state of affairs when asserting that WorldCom and Qwest are continuing to work together on this issue. WorldCom and Qwest have attempted for some time to try to reach resolution and are now at a standstill. Qwest has refused to comply with WorldCom's request for customized routing. (Attachment, p. 25)
- (5) WorldCom has provided Qwest with the technical requirements necessary for Qwest to provide customized routing over WorldCom's Feature Group D trunks – this information includes specifications for Lucent, Nortel, and Siemens switches (Attachment, p. 25)
- (6) Contrary to Qwest's claim, "significant cost issues" do not exist between the parties. The investment required by Qwest to provide WorldCom with customized routing relates to right-to-use fees that Qwest will recover as part of its local switching network element rates (customized routing is part of the switching UNE). WorldCom will pay Qwest for its right-to-use fees through the recurring local switching rate. (Attachment, p. 27-28)
- (7) Qwest's suggestion that we should enter into Bona Fide Request (BFR) process is a further attempt at delay and should be rejected. The steps taken in a BFR process have already been taken, and still Qwest is refusing to provide WorldCom with customized routing over our Feature Group D trunks.

The bases that Qwest asserts for not providing WorldCom with customized routing over our Feature Group D trunks are groundless as a technical, policy, legal, and practical matter, as shown above, in the attached document, and in pleadings in the

above-referenced dockets. Qwest's refusal to provide WorldCom with customized routing violates section 271 checklist items 2 and 7, and Qwest's section 271 applications should be denied accordingly.

Please call me with any questions about this matter.

Sincerely,

///s///

Lori E. Wright  
Associate Counsel  
Federal Advocacy

CC: E. Yockus, M. Savir, B. Dever, M. Carowitz, J. Myles, G. Remondino, M. Cohen (DOJ), J. Jewell (ID PUC), P. Baker (IUB), C. Post (NE PUC), B. Smith (CO PUC), R. Harsch (DOJ), S. Vick (MT PUC), J. Orchard (Utah PUC), WA PUC, S. Oxley (WY PUC), ND PSC, Y. Dori (Hogan & Hartson)

Attachment